

21 C.J.S. Courts § 178

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Courts

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VI. Rules of Adjudication, Decisions, and Opinions

A. Principles of Adjudication

§ 178. Application of law

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West's Key Number Digest

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When rendering decisions, courts must apply the governing principles of law, regardless of whether the parties cite them, but not in a mechanical manner.

A court deciding a case must find the facts, declare the law, and apply it to the facts.¹ When rendering decisions, courts must look beyond the particular case to the governing principle and apply it to the facts² regardless of extraneous influences.³ The court is not in a position to choose between public policy choices when the law unambiguously addresses the question before it,⁴ and a court may not disregard a controlling legal standard in favor of some other legal rule⁵ as a court's exercise of discretion must be within existing legal norms.⁶ Public policy is not determined by a court's generalized concepts of fairness and justice or determination of what might be most just in a particular case;⁷ instead, courts must look to the constitution, statutes, and judicial decisions.⁸ Treatises are not binding on a court; rather, the court is bound by principles of statutory interpretation and its prior decisions.⁹

A court must apply the controlling law regardless of whether either party cites or relies on it.¹⁰ A court need not base its decision on a rule whose nonexistence is apparent on the face of things merely because the parties agree that it exists.¹¹ The court retains the independent power to identify and apply the proper construction of the governing law,¹² and the parties cannot compel a court to misconstrue a statute by arguing only incorrect interpretations of it.¹³

Although the basic principle of justice is that like cases should be decided alike,¹⁴ legal principles should not be applied in a formulaic manner.¹⁵ A court will not permit form to override substance¹⁶ or procedural technicalities to defeat fairness and justice.¹⁷ On the other hand, a court may not rely on its own sympathies as the basis for a judicial decision.¹⁸

A court may extend or limit a judicially created doctrine.¹⁹ A doctrine that has reached a point of obsolescence may be discarded,²⁰ and the rule itself should not be applied if the reason for it no longer exists.²¹ Furthermore, when the principle of law from which a corollary arises is no longer valid, a court must hold that the corollary also is inoperative.²²

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Footnotes

1 Colo.— People v. Matheny, 46 P.3d 453 (Colo. 2002).

2 Cal.— In re Kline's Estate, 138 Cal. App. 514, 32 P.2d 677 (2d Dist. 1934).

S.C.—Spillers v. Griffin, 109 S.C. 78, 95 S.E. 133 (1918).

3 N.D.— Sweeney v. Sweeney, 2005 ND 47, 693 N.W.2d 29 (N.D. 2005).

4 Minn.— Poehler v. Cincinnati Ins. Co., 874 N.W.2d 806 (Minn. Ct. App. 2016).

5 Colo.— Borer v. Lewis, 91 P.3d 375 (Colo. 2004).

6 Colo.— Borer v. Lewis, 91 P.3d 375 (Colo. 2004).

7 Iowa—Claude v. Guaranty Nat. Ins. Co., 679 N.W.2d 659 (Iowa 2004).

8 Iowa—Claude v. Guaranty Nat. Ins. Co., 679 N.W.2d 659 (Iowa 2004).

Nev.—All Star Bonding v. State, 119 Nev. 47, 62 P.3d 1124 (2003).

Tenn.—Purkey v. American Home Assur. Co., 173 S.W.3d 703 (Tenn. 2005).

9 Minn.— State Farm Mut. Auto. Ins. Co. v. Lennartson, 872 N.W.2d 524 (Minn. 2015).

10 Tenn.—City of Memphis v. International Broth. of Elec. Workers Union, Local 1288, 545 S.W.2d 98 (Tenn. 1976).

11 U.S.— U.S. Nat. Bank of Oregon v. Independent Ins. Agents of America, Inc., 508 U.S. 439, 113 S. Ct. 2173, 124 L. Ed. 2d 402 (1993).

12 U.S.— U.S. Nat. Bank of Oregon v. Independent Ins. Agents of America, Inc., 508 U.S. 439, 113 S. Ct. 2173, 124 L. Ed. 2d 402 (1993);  Kamen v. Kemper Financial Services, Inc., 500 U.S. 90, 111 S. Ct. 1711, 114 L. Ed. 2d 152, 19 Fed. R. Serv. 3d 401 (1991).

Del.— VantagePoint Venture Partners 1996 v. Examen, Inc., 871 A.2d 1108 (Del. 2005).

Mont.— Leichtfuss v. Dabney, 2005 MT 271, 329 Mont. 129, 122 P.3d 1220 (2005).

13 Or.— PacifiCorp v. City of Ashland, 89 Or. App. 366, 749 P.2d 1189 (1988).

14 U.S.— Martin v. Franklin Capital Corp., 546 U.S. 132, 126 S. Ct. 704, 163 L. Ed. 2d 547 (2005).

15 U.S.— Droeger v. Welsh Sporting Goods Corp., 541 F.2d 790 (9th Cir. 1976).

16 Fla.— McGee v. State, 438 So. 2d 127 (Fla. 1st DCA 1983).

17 Fla.— McGee v. State, 438 So. 2d 127 (Fla. 1st DCA 1983).

La.—Gilcrease v. Gilcrease, 438 So. 2d 658 (La. Ct. App. 2d Cir. 1983), writ denied, 442 So. 2d 461 (La. 1983).

Ohio— Svoboda v. City of Brunswick, 6 Ohio St. 3d 348, 453 N.E.2d 648 (1983).

18 U.S.— U.S. v. Walker, 514 F. Supp. 294, 60 A.L.R. Fed. 734 (E.D. La. 1981).

19 Minn.— Phipps v. Clark Oil & Refining Corp., 396 N.W.2d 588 (Minn. Ct. App. 1986), judgment aff'd, 408 N.W.2d 569 (Minn. 1987).

20 N.M.— State ex rel. Gesswein v. Galvan, 1984-NMSC-025, 100 N.M. 769, 676 P.2d 1334 (1984).

21 U.S.—Hampton v. U.S., 575 F. Supp. 1180 (W.D. Ark. 1983).

Me.— Pendexter v. Pendexter, 363 A.2d 743 (Me. 1976).

Public policy may change

Md.— Wholey v. Sears Roebuck, 370 Md. 38, 803 A.2d 482 (2002).

Overruling precedent, see § 194.

22 Pa.—Evasovich v. Com., Unemployment Compensation Bd. of Review, 80 Pa. Commw. 395, 471 A.2d 921 (1984).